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# **EXHIBIT “E”**

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ATTORNEYS FOR PLAINTIFF

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RON MANZO

PLAINTIFF,

v.

ROBERT MCDONALD

DEFENDANT.

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NUMBER:

CIVIL ACTION

COMPLAINT, DESIGNATION OF  
TRIAL COUNSEL AND DEMAND  
FOR JURY TRIAL

Plaintiff, Ron Manzo, who resides at 10 Inlet Terrace, Belmar, New Jersey by  
way of Complaint against the Defendant alleges and says as follows:

**BACKGROUND**

1. Robert McDonald is an individual, residing at 245 5<sup>th</sup> Avenue, New York, New York 10016.
2. Robert McDonald is an individual who represented himself as a financial expert with abilities to raise capital for investments in various businesses.
3. Defendant, McDonald, further represented himself as a person that has been successful in the past putting together financial investments in various corporations.
4. Based on the representations of the Defendant, Plaintiff agreed to provide funding to the Defendant and certain businesses that he was associated with.

5. Upon information and belief, Plaintiff loaned the sum of one million, five hundred thousand dollars (\$1,500,000) to Defendant, Robert McDonald.

6. To date, Defendant, Robert McDonald, has refused and/ or failed to repay money owed to Plaintiff under the terms of the loan, despite Plaintiff's demands.

7. Upon information and belief, it turns out the Defendant, Robert McDonald was a fraud and lied about his past abilities. As a result of the frauds perpetrated by the Defendant, the Plaintiff has been cause to lose all of the funding provided to the Defendant.

### **COUNT ONE**

1. Plaintiff repeats each allegation set forth in the Background as if same were fully set forth herein.

2. Upon information and belief, Defendant, Robert McDonald, entered into the loan agreement with Plaintiff without ever intending to pay back the money owed to Plaintiff.

3. The above mentioned actions of the Defendant, Robert McDonald, constitute fraud.

WHEREFORE, Plaintiff, Ron Manzo, demands judgment against the Defendant, Robert McDonald, for fraud for compensatory and punitive damages, plus costs and attorneys fees, and for other such relief as is just and equitable.

### **COUNT TWO**

1. Plaintiff repeats each allegation contained in the Background and First Count as if same were fully repeated herein.

2. The above mentioned actions of the Defendant, Robert McDonald, constitute breach of contract.

WHEREFORE, Plaintiff, Ron Manzo, demands judgment against the Defendant, Robert McDonald, for breach of contract for compensatory damages, plus costs and attorneys fees, and for other such relief as is just and equitable.

**COUNT THREE**

1. Plaintiff repeats each allegation contained in the Background, First, and Second Counts as if same were fully repeated herein.

2. Upon acceptance of the loan from Plaintiff, Defendant agreed to pay back the amount of the loan in full.

3. To date, the entire balance of the loan remains outstanding.

4. Plaintiff has demanded that the Defendant, Robert McDonald, satisfy the outstanding balance.

5. To date, Defendant has failed to make any payments.

WHEREFORE, Plaintiff, Ron Manzo, demands judgment against the Defendant, Robert McDonald, for an account stated and for compensatory damages, plus costs and attorneys fees, and for other such relief as is just and equitable.

**COUNT FOUR**

1. Plaintiff repeats each allegation contained in the Background, First, Second, and Third Counts as if same were fully repeated herein.

2. Plaintiff has demanded payment of the above mentioned sum from the Defendant.

3. To date, Defendant has not paid said sum.

WHEREFORE, Plaintiff, Ron Manzo, demands judgment against the Defendant, Robert McDonald, for monies lent for compensatory damages, plus costs and attorneys fees, and for other such relief as is just and equitable.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury.

**CERTIFICATION UNDER RULE 4:5-1**

The undersigned certifies that the above matter is not the subject of any other litigation or any other arbitration proceeding now pending or contemplated. There are no other parties now known who should be joined in this action.

**DESIGNATION OF TRIAL COUNSEL**

Spencer B. Robbins is hereby designated as trial counsel for Plaintiff.

Dated: April 21, 2010

Robbins and Robbins, LLP

By: \_\_\_\_\_  
Spencer B. Robbins,  
Attorney for Plaintiff